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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DEBORAH M. FOX,

Plaintiff,

v.

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., et
al.,

Defendants.

2:12-CV-1153 JCM (PAL)

ORDER

Presently before the court is plaintiff Deborah M. Fox's motion for a temporary restraining order and preliminary injunction. (Docs. #3 and #4). No defendant has filed a response.

Plaintiff's motion alleges her home was foreclosed upon on March 21, 2012. Plaintiff contends that none of the defendants "own the mortgage against Plaintiff's home." As best this court can discern, plaintiff is seeking an order voiding the mortgage sale that occurred nearly four months ago.

A court may issue a temporary restraining order when the moving party provides "specific facts" that "clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition." Fed. R. Civ. P. 65(b)(1)(A). The Supreme Court has stated that courts must consider the following factors in determining whether to issue a temporary restraining order and preliminary injunction: (1) a likelihood of success on the

1 merits; (2) likelihood of irreparable injury if preliminary relief is not granted; (3) balance of
2 hardships; and (4) advancement of the public interest. *Winter v. N.R.D.C.*, 129 S. Ct. 365, 374–76
3 (2008).

4 There is no allegation in plaintiff’s motion, much less any “specific facts” that “immediate
5 and irreparable injury, loss, or damage will result” absent a temporary restraining order. Plaintiff
6 has provided no reason why this court should act prior to giving defendants a chance to respond.
7 Moreover, the plaintiff has failed to explain how the *Winter* factors apply to the facts of her case.
8 The court finds the motion lacking in merit.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that plaintiff’s motion for a
11 temporary restraining order and preliminary injunction (docs. #3 and #4) be, and the same hereby
12 is, DENIED.

13 DATED July 11, 2012.

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16 **UNITED STATES DISTRICT JUDGE**